

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHWESTERN DIVISION

JOSEPH ANTHONY NUNNARI,

Plaintiff,

v.

Case No.: 3:10-cv-1367-HGD

MADELINE GRACE MITCHELL,

Defendant.

PLAINTIFF'S REQUEST FOR ORAL ARGUMENT ON THE DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT

COMES NOW Plaintiff, **JOSEPH ANTHONY NUNNARI**, by and through the undersigned counsel, and hereby requests the Court to grant oral argument on the Defendant's Motion for Summary Judgment. Since this is a dispositive motion, the Plaintiff submits that the Court should be fully apprised of each party's position which is not possible in the memorandum context of initial motion, answer, and reply. For instance, in her reply, the Defendant extensively relies upon Alabama evidentiary rules that appear to be at odds with the Federal Rules of Evidence. Therefore, Plaintiff submits that oral argument would be beneficial to the Court.

In the alternative, Plaintiff requests leave to file a reply brief on the evidentiary issues.

Respectfully submitted this **23rd** day of March, 2011.

/s/ James F. McKenzie

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing instrument has been electronically filed on this **23rd** day of March, 2011, using the CM/ECF system and has been served upon counsel for the Defendant, Kori L. Clement, Esquire, 505 20th Street North, Suite 1010, Financial Center, Birmingham, Alabama 35203 via same in addition to facsimile.

/s/ James F. McKenzie

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